

U.S. Department of the Interior, Bureau of Land Management  
Kremmling Field Office  
2103 E. Park Ave, PO Box 68, Kremmling, CO 80459

**DETERMINATION OF NEPA ADEQUACY (DNA)**

*Sylvan Reservoir Pile Burn*  
**DOI-BLM-CO-N02-2014-0053-DNA**

**Identifying Information**

**Project Title:** Sylvan Reservoir Pile Burn

**Legal Description:** T. 1 S., R. 78 W., Section 4; 6th P.M., Grand County, Colorado

**Applicant:** BLM

**Conformance with the Land Use Plan**

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

Name of Plan: Kremmling Resource Management Plan

Date Approved: 12/19/1984

Decision Number/Page: Decision 6, Page 9, sections b. and c.

Decision Language: :           b. ...“ Intensive management activities could include timber harvesting techniques, artificial regeneration, stand conversion, stand improvement, pre-commercial thinning, and commercial thinning. Limited management activities will involve primarily custodial practices such as fire protection and salvage.”  
c. Special Implementation Needs: “Fire management support is needed for management of natural and prescribed fire.”

**Proposed Action**

***Project Components and General Schedule***

The proposed action is to burn 27 piles from logging operations in the Sylvan Reservoir area when there is three inches or more of snow on the ground. The piles range from 75 feet wide by 100 feet long by 10 feet tall to 5 feet wide by 5 feet long by 4 feet tall. The piles would be burned by hand ignition devices such as, but not limited to, drip torches, fusees, and UTV terra-torch. Access is through private land on an existing road. A burn plan would be written prior to ignitions and a smoke permit would be obtained from the Colorado State Air Pollution Control Division. The Sylvan Reservoir Pile Burn is a new project approximately eight miles from the

Kremmling Timber Sanitation Burn Piles (Environmental Assessment DOI-BLM-CO-120-2013-0014-EA) and within two miles of the Cow Creek area of the Mule Creek Hazardous Fuels Reduction Treatment (DOI-BLM-LLCON02000-2012-001 EA).

### ***BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources***

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM KFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. The applicant is responsible for informing all persons who are associated with project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the applicant must immediately contact the appropriate BLM representative.

### **Review of Existing NEPA Documents**

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Plan: Kremmling Resource Management Plan

Date Approved: 12/19/1984

Decision Number/Page: Decision 6, Page 9, sections b. and c.

Decision Language: :           b. ...“ Intensive management activities could include timber harvesting techniques, artificial regeneration, stand conversion, stand improvement, pre-commercial thinning, and commercial thinning. Limited management activities will involve primarily custodial practices such as fire protection and salvage.”  
c. Special Implementation Needs: “Fire management support is needed for management of natural and prescribed fire.”

Name of Document: DOI-BLM-CO-120-2013-0014-EA Kremmling Timber Sanitation Burn Piles

Date Approved:           6/10/2013

Name of Document: DOI-BLM-LLCON02000-2012-001 EA Mule Creek Hazardous Fuels Reduction Treatment

Date Approved:           4/2/2013

## **NEPA Adequacy Criteria**

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

*The Sylvan Reservoir Pile Burn project is very similar in geographic and resource conditions to the Kremmling Timber Sanitation Burn Piles project. The Sylvan Reservoir Pile Burn includes 27 piles. The Kremmling Timber Sanitation Burn Piles Environmental Assessment (DOI-BLM-CO-120-2013-0014 EA) analyzes 604 acres of pile burning in eight timber units. Seven of the eight units are located in Grand County (see page 2 of EA). Pile burning was also analyzed in the Mule Creek Hazardous Fuels Reduction Treatment Environmental Assessment (DOI-BLM-LLCON02000-2012-001 EA, page 5). Kremmling Field Office specialists have compared this project with the aforementioned NEPA documents and consider them to be sufficiently similar.*

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

*Three alternatives (Proposed Action, have the material hauled away, and a No Action Alternative) were analyzed in the Kremmling Timber Sanitation Burn Piles EA (page 5).*

*Four alternatives (Proposed Action, Fire only treatment, mechanical only, and a No Action Alternative) were analyzed in the Mule Creek Hazardous Fuels Reduction Treatment Environmental EA (pages 14 and 15). No issues were identified to trigger analysis of additional alternatives and these alternatives are considered to be adequate and valid for this Proposed Action.*

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

*There is no new information and no new circumstances since the previous Environmental Assessments; therefore the analysis from the Kremmling Timber Sanitation Burn Piles Environmental Assessment and the Mule Creek Hazardous Fuels Reduction Treatment Environmental Assessment are still valid.*

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

*Yes. The Sylvan Reservoir Pile Burn would have very similar effects as analyzed in the Kremmling Timber Sanitation Burn Piles Environmental Assessment and/or the Mule Creek Hazardous Fuels Reduction Treatment Environmental Assessment.*

*Air Quality:* The Mule Creek Hazardous Fuels Reduction Treatment EA analyzed smoke emissions from prescribed fire. Although the proposed project area is north of the Mule Creek area, the sensitive targets and potential impacts considered in that EA are the same. The Sylvan Project area is closer to the communities of Parshall (approximately 5.5 miles to the northwest of the project) and Hot Sulphur Springs (6 miles northeast of project), with prevailing winds to the northeast. The state's smoke permit will set the allowable conditions for burning to protect the air quality in these communities and the general area.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

*Yes. Scoping was completed with the Kremmling Timber Sanitation Burn Piles Environmental Assessment and also with the Mule Creek Hazardous Fuels Reduction Treatment Environmental Assessment (pages 1 and 2). No issues were raised in those analyses related to burning piles, which is a common occurrence in the Kremmling Field Office vicinity.*

## Interdisciplinary Review

The Proposed Action was presented to, and reviewed by the Kremmling Field Office interdisciplinary team on 9/23/2014. Specialists who reviewed this document are listed in the table below. Any additional remarks are listed below this table.

Name	Title	Resource	Date
Bill Wyatt	Archaeologist	Paleontological Resources, Cultural Resources, Native American Religious Concerns	1/6/2015
Darren Long	Wildlife Biologist	Special Status Plant and Wildlife Species, Terrestrial Wildlife, Fisheries	10/27/2014
Hannah Schechter	Outdoor Recreation Planner	Visual Resources	10/9/2014
Neilie Goodwin	Range Specialist	Livestock Grazing	10/22/2014
Kenneth Belcher	Forester	Forestry and Woodland Products	11/18/2014
John Monkouski	Outdoor Recreation Specialist	Recreation, Access and Transportation, Noise, Wilderness	10/15/2014
Annie Sperandio	Realty Specialist	Realty Authorizations	10-22-2014
Kevin Thompson	Fuels Specialist	Fire Management	10/6/14
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian Resources	10/2/2014

*Cultural Resources:* A Class III cultural resource inventory (BLM #CR-15-13) was completed for the proposed action. The project is a **no effect**, there are **no historic properties affected**.

*Native American Religious Concerns:* Tribal consultation for the undertaking was initiated on December 8, 2014, and to date no tribe has identified any traditional spiritual or cultural properties.

*Threatened and Endangered Plant and Wildlife Species:* There are no known Threatened or Endangered species within the footprint of the proposed action.

*Lands/Realty Authorizations:* There are no rights-of-way or land authorizations within the project area.

*Soil Resources:* Soil information is from the Grand County Soil Survey, which maps the pile burn area as covering four different soil mapping units. The Mule Creek Hazardous Fuels EA addresses two of the soil mapping units in the Sylvan Reservoir Project. The remaining two mapping units are the Cimarron Loam, 2 to 6% slopes, and the Cimarron Loam, 6-15% slopes. These soils are considered erosive and produce moderate to moderately high rates of runoff. The soils are rated as having low potential, however, to be damaged by fires intense enough to consume the duff layer and some of the organic material in the surface soil layers. The piles are

located on fairly gentle slopes that should support a good understory vegetation, reducing the transport distance of any eroded soils from the burn pile scar as surrounding vegetation would encourage deposition. The small burn pile areas would be expected to revegetate within two growing seasons, but seeding is planned for areas that do not. The Kremmling Timber Sanitation Burn Piles EA determined that on a landscape scale, burn piles do not affect an area's ability to meet the Land Health Upland Soil Standard. The design features of adequate snow cover helps reduce potential soil impacts too. There are no other anticipated soil impacts from the proposed action that are not addressed in the two environmental assessments.

*Water Resources:* The proposed project is located adjacent to Sylvan Reservoir, a small reservoir primarily used for irrigation water, although it is decreed for irrigation, domestic, stockwater, and augmentation purposes for recreation, wildlife, and irrigation. The water for the reservoir is from the Little Muddy Creek (aka Little Muddy River), with the earliest appropriation date of November 3, 1907.

The Kremmling Timber Sanitation Burn Piles EA considered "the potential water quality impacts from each salvage treatment", but this does not included the Little Muddy River drainage or Sylvan Reservoir. The Mule Creek EA also does not look at these two waters. The proposed project, however, should not affect the water quality in the reservoir. There should be adequate vegetative buffers and gentle enough slopes to prevent burn pile ash and/or sediment from the fresh burn scars from reaching the reservoir.

## **Conclusion**

Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

NAME OF PREPARER: Kevin Thompson

NAME OF ENVIRONMENTAL REVIEWER: Susan Valente

\_\_\_\_\_/s/ Stephanie Odell\_\_\_\_\_

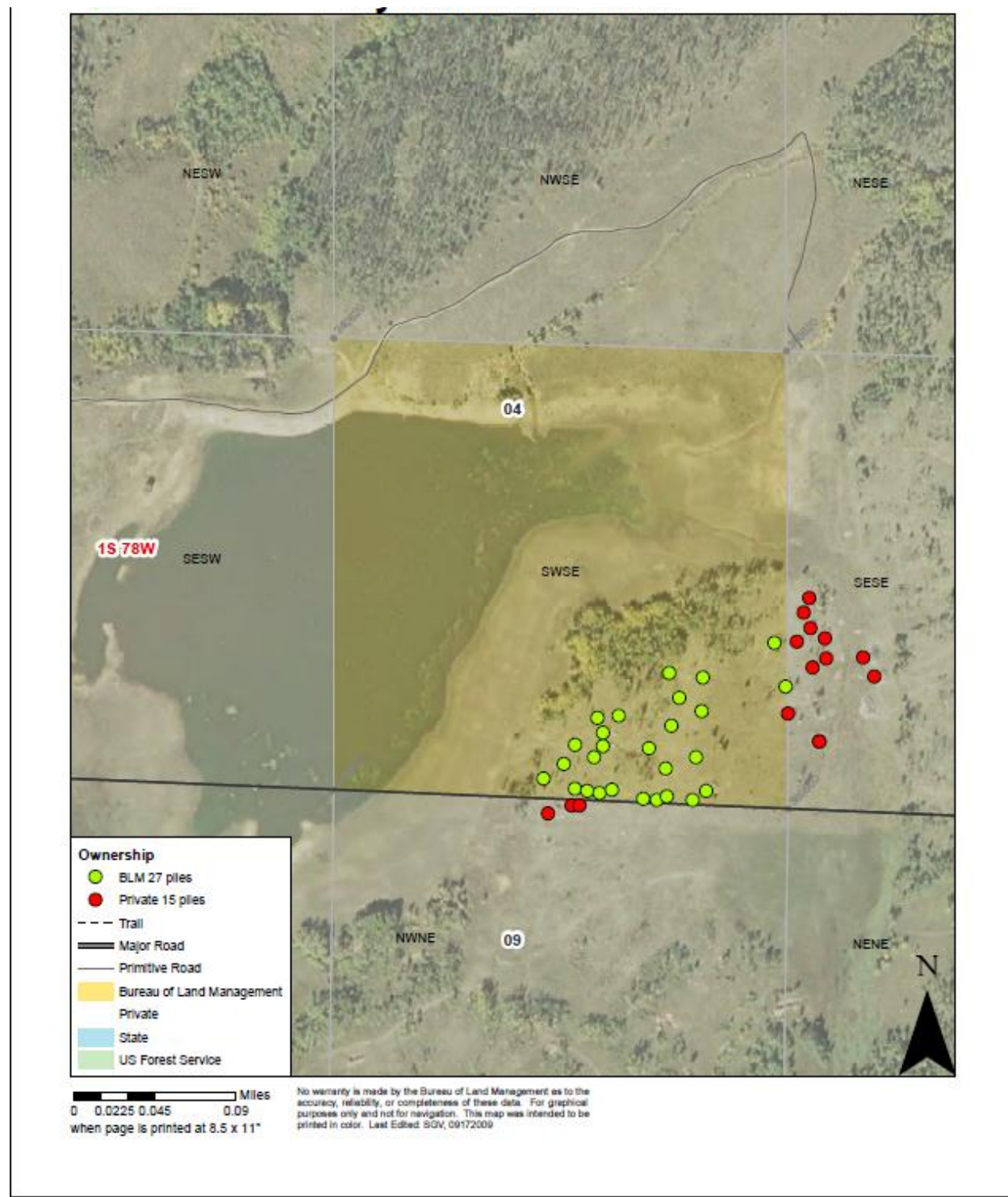
Field Manager

\_\_\_\_1/7/2015\_\_\_\_\_

Date

## Appendix A. Figures

### Sylvan Reservoir Pile Burn Map



**U.S. Department of the Interior, Bureau of Land Management  
Kremmling Field Office  
2103 E. Park Ave, PO Box 68, Kremmling, CO 80459**

## **Decision Record**

***Sylvan Reservoir Pile Burn***  
**DOI-BLM-N02-2014-0053-DNA**

### **Decision**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-N02-2014-0053-DNA, authorizing the burning of piles created by logging operations in the Sylvan Reservoir area.

### **Compliance with Laws & Conformance with the Land Use Plan**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the Kremmling Record of Decision and Resource Management Plan.

### **Public Involvement**

The DNA will be available for a formal 30-day public comment period when posted on the BLM NEPA online NEPA register.

### **Rationale**

Based on information in the DNA, the project record, and consultation with my staff, I have decided to implement the proposed action as described in the DNA. The project is not expected to adversely impact any resources with the stipulations and monitoring measures required by project.

### **Administrative Remedies**

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.



The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on the BLM online NEPA register:

- [https://www.blm.gov/epl-front-office/eplanning/lup/lup\\_register.do](https://www.blm.gov/epl-front-office/eplanning/lup/lup_register.do)

## **Signature of Authorized Official**

/s/ Stephanie Odell

Field Manager

1/7/2015

Date